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*ATTORNEY FOR DEFENDANT*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----x  
EMILIO NOBLE, :

Plaintiff, :

**7:07-cv-05832-KMK-GAY**  
*Electronically Filed*

: -against- :

CAREER EDUCATION CORPORATION, :

Defendant. :

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**DEFENDANT'S NOTICE OF MOTION  
TO DISMISS PLAINTIFF EMILIO NOBLE'S  
NEW YORK CORRECTION LAW CLAIM**

PLEASE TAKE NOTICE that pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and upon the accompanying Memorandum of Law in support thereof, Defendant will move this Court before the Honorable Kenneth M. Karas, United States District Court Judge, on a date and at a time to be designated by the Court, at the United States Courthouse for the Southern District of New York, 300 Quarropas Street, White Plains, New York 10601, for an Order granting Defendant's Motion to Dismiss Plaintiff Emilio Noble's New York Correction Law Claim.

PLEASE TAKE FURTHER NOTICE that pursuant to Rule 6.1(b) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, Plaintiff's opposition papers, if any, shall be served on or before October 2, 2007.

Dated: September 18, 2007  
New York, New York

Respectfully submitted,  
MORGAN, LEWIS & BOCKIUS LLP

By: s/ Amber Kagan  
Amber Kagan (AK-7973)

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